

**VILLAGE OF TUXEDO PARK  
SPECIAL BOARD OF TRUSTEES MEETING  
FEBRUARY 11, 2019  
12:45 P.M.**

Present: Mayor David McFadden  
Deputy Mayor Alan McHugh (via FaceTime)  
Trustee Allen Barnett  
Trustee Maureen Coen

Absent: Trustee Paul Gluck

Clerk: Deborah Matthews

Attorney: Brian Nugent, Esq. (via Telephone)

Mayor McFadden called the meeting to order at 12:45 p.m. and led the Pledge of Allegiance. Roll call was taken.

**Authorize Advertising for Bid on the Surplus Generator and Set Bid Opening Date**

A motion was made by Mayor McFadden, seconded by Trustee Coen that the Board of Trustees authorize the Village Clerk to advertise for bids on the surplus 100kW generator and transfer switch and that the bid opening date be set for Thursday, February 14, 2019 at 2:00 p.m.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

**Approve Settlement of Water Account**

A motion was made by Mayor McFadden, seconded by Trustee Coen that the Board of Trustees, as per the Water Billing Procedures Policy adopted on January 23, 2019, approve the settlement for water account #246 (29 Schoolhouse Road) in the amount of \$11,494.49 as full payment and that the Water Department be authorized to turn the water back on.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

**Adjourn to Executive Session**

A motion was made by Mayor McFadden, seconded by Trustee Coen that the Board adjourn to executive session at 12:50 p.m. to discuss pending litigation and a specific employee matter, and that Attorney Brian Sokoloff be invited to attend.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

**Exit Executive Session and Re-Open the Regular Meeting**

A motion was made by Mayor McFadden, seconded by Trustee Coen that the Board exit executive session at 1:30 p.m. and re-open the regular meeting.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

**Approval of Settlement of Zgonena Federal Lawsuit**

A motion was made by Trustee Coen, seconded by Deputy Mayor McHugh that the Mayor is hereby authorized to execute a Settlement Agreement in the matter of Zgonena v. Village of Tuxedo Park, et al, 13 Civ. 8135 (CS) as presented to the Board of Trustees, conditioned on an Exhibit B (motion to vacate) being annexed to the Settlement Agreement and requiring that any final motion to vacate shall not differ materially in tone or tenor from the motion set forth in "Exhibit B."

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

**Adjourn to Executive Session**

A motion was made by Mayor McFadden, seconded by Trustee Coen that the Board adjourn to executive session at 1:30 p.m. to discuss a specific employee matter.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

**Exit Executive Session and Re-Open the Regular Meeting**

A motion was made by Mayor McFadden, seconded by Trustee Coen that the Board exit executive session at 2:30 p.m. and re-open the regular meeting.

Vote of the Board: 4 ayes, 0 nays

The motion was passed by a 4-0 vote.

**Adjournment**

A motion was made by Mayor McFadden, seconded by Deputy Mayor McHugh that the meeting be adjourned at 2:30 p.m. The vote was 4-0 in favor.

Respectfully submitted,

Deborah A. Matthews  
Village Clerk-Treasurer